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Filing date: **07/09/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92047581
Party	Plaintiff Actibiol, S.A.
Correspondence Address	Gary J. Nelson Christie, Parker & Hale, LLP P.O. Box 7068 Pasadena, CA 91109-7068 UNITED STATES pto@cph.com
Submission	Withdrawal of Cancellation
Filer's Name	Gary J. Nelson
Filer's e-mail	pto@cph.com
Signature	/Gary J. Nelson/
Date	07/09/2009
Attachments	A902 110 2 2 Stipulated Dismissal.pdf ( 2 pages )(46161 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

ACTIBIOL, S.A.

Petitioner,

v.

MOR-NUTECH, INC.

Respondent.

Cancellation No. 92047581

T.M. CAPSOL-T  
R.N. 3,149,821  
Filed: December 7, 2004

STIPULATED DISMISSAL OF  
CANCELLATION WITHOUT  
PREJUDICE


**STIPULATED DISMISSAL OF CANCELLATION WITHOUT PREJUDICE**

Respondent Mor-Nutech, Inc. and Petitioner Actibiol, S.A., pursuant to 37 C.F.R. §2.114(c), and subject to the approval of the Board, hereby stipulate and agree to the dismissal of the above-identified cancellation without prejudice.

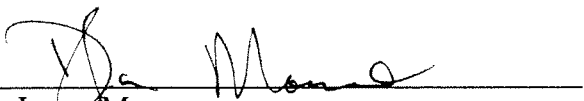
So stipulated.

Respectfully submitted,

DATED: July 8, 2009

By   
Tiffany A. Parker  
CHRISTIE, PARKER & HALE, LLP  
Post Office Box 7068  
Pasadena, California 91109-7068  
Phn: (626) 795-9900  
pto@cph.com  
Attorneys for Petitioner

DATED: May 8, 2009

By   
D. James Morre  
President, Mor-Nutech Inc., Respondent

**CERTIFICATE OF MAILING AND SERVICE**

I certify that on July 9, 2009, the foregoing **STIPULATED DISMISSAL OF CANCELLATION WITHOUT PREJUDICE** is being electronically transmitted to:

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

It is further certified that on July 9, 2009, the foregoing **STIPULATED DISMISSAL OF CANCELLATION WITHOUT PREJUDICE** is being served by mailing a copy thereof by first-class mail addressed to:

Mor-Nutech, Inc.  
1112 Cherry Lane  
West Lafayette, Indiana 47906

By Colleen Severino  
Colleen Severino  
Assistant to Gary J. Nelson  
Christie, Parker & Hale, LLP  
P.O. Box 7068  
Pasadena, CA 91109-7068